

MESSAGE NO: 7096203

MESSAGE DATE: 04/06/2007

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-504

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 02/19/1986 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AD SCOPE RULING ON PETROLEUM WAX CANDLES FROM CHINA (A-570-504)
MEIJER'S DRACULA, MUMMY, & SKELETON CANDLES (STYLE # 847346) - NOT WITHIN THE
SCOPE

MESSAGE NO: 7096203

DATE: 04 06 2007

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CASES: A - 570 - 504

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PERIOD COVERED: 02 19 1986 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AD SCOPE RULING ON PETROLEUM WAX CANDLES FROM CHINA
(A-570-504) MEIJER'S DRACULA, MUMMY, & SKELETON CANDLES
(STYLE # 847346) - NOT WITHIN THE SCOPE

1. ON 03/22/2007, IN RESPONSE TO A REQUEST BY MEIJER
DISTRIBUTION, INC. ("MEIJER"), THE DEPARTMENT OF COMMERCE ISSUED
A FINAL SCOPE RULING THAT MEIJER'S DRACULA, MUMMY, AND SKELETON
CANDLES (STYLE # 847346) IS NOT WITHIN THE SCOPE OF THE
ANTIDUMPING DUTY ORDER/FINDING COVERING PETROLEUM WAX CANDLES
FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).

2. THE COMMERCE DEPARTMENT DETERMINED THAT MEIJER'S CANDLES ARE

RECOGNIZABLE AS DRACULA, A MUMMY AND A SKELETON FROM MULTIPLE ANGLES (I.E., THE TOP, SIDES AND BOTTOM), AND THE APPEARANCE IS CONSISTENT WITH THAT OF DRACULA (HUMAN FIGURINE WITH DARK CAPE AND RAISED COLLAR), MUMMY (HUMAN-SHAPED BODY WRAPPED IN CLOTH) AND SKELETON (HAVING TEXTURED BONE DETAIL THROUGHOUT THE SURFACE

OF THE CANDLE). THE DEPARTMENT FINDS THAT THESE CANDLES ARE RECOGNIZABLE AS IDENTIFIABLE OBJECTS FROM MULTIPLE ANGLES AND QUALIFY NOT TO BE INCLUDED WITHIN THE SCOPE OF THE ANTIDUMPING ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA PURSUANT TO THE NOVELTY CANDLE EXCEPTION.

3. EFFECTIVE 03/22/2007, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 02/19/1986 OF DRACULA, MUMMY AND SKELETON CANDLES LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE DRACULA, MUMMY AND SKELETON CANDLES LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PETROLEUM WAX

CANDLES SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM
WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:JB).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party